# Nova Scotia Human Rights Commission

## Business Plan

## 2002/03

**March 8, 2002**

## A. Mission

To reduce individual and systemic discrimination in support of a society characterized by equality. We value:

*Respect and dignity,* through words and actions in relation to all members of the public;
*Diversity,* recognizing everyone can contribute to our society;
*Understanding,* through education as a focal point for change;
*Credibility,* in being seen as independent and truly autonomous from government, and;
*Integrity,* in practicing what we preach and in serving as a model for government, other agencies and the private sector.

## B. Planning Context

The Commission currently employs 19 people and has four offices: a central office in Halifax and regional offices in Sydney, Digby and New Glasgow.

The Nova Scotia Human Rights Commission (hereinafter referred to as "the Commission") is an independent government agency charged with administering Nova Scotia's Human Rights Act (hereinafter referred to as "the Act"), a provincial statute created in 1969. Under the authority of the Act, the Commission focuses on two core business functions:

- investigation and settlement of complaints; and
- public education and outreach.

In order to carry out these core businesses in the rapidly evolving field of human rights and within a tight fiscal environment, the Commission must invest resources in ongoing staff training and seek partners from the public, private and non-governmental sectors to deliver its public education and outreach programs. Since 1999, the Race Relations Division has implemented a cost-recovery program for its workshops and training services.

Financial pressures at the Commission delayed some key re-staffing decisions during the 2001/02 fiscal year. In order to avoid the recurrence of a backlog of cases, the Commission will need to continue to carefully examine its resources during the coming fiscal year to ensure that they are being maximized.

An organizational review of the Commission began in July 2000. In December 2000, the Provincial Government expanded the review to include the Office of the Ombudsman and to look at synergies between both organizations and other provincial agencies, boards and commissions exercising similar mandates in the field of citizens' rights. The review was conducted in two phases, with the first examining mandate issues and pursuing limited public consultation on a discussion paper which focused on the key issues. The second phase looked specifically at the roles, responsibilities and structures of the organization. The draft final report from the consultants for the second phase was provided to the Provincial Government in August 2001. In February 2002, the Provincial Government announced that it would be maintaining an independent Ombudsman. No decisions have been made on the other recommendations from the draft report.

In January 2002, an agreement was reached settling a Board of Inquiry in the matter Archibald Kaiser v. Executive Council of Nova Scotia. As part of the settlement, the Commission has committed to undertaking several specific activities. Public education to improve public understanding of political affiliation as a prohibited grounds under the Act will be undertaken, for which the Commission will receive $15,000 from the respondent to underwrite costs. The Commission will also offer a presentation to the government and opposition caucuses on human rights trends and challenges in conjunction with the filing of its annual report with the legislature. Under the terms of the agreement, the respondent will also provide to the Commission $90,000 over three years which will be used to fund special projects for mental health consumers to examine their access to legal and other advocacy services. The Commission will work woth the Nova Scotia Disabled Persons Commission in selecting projects.

## C. Strategic Goals

Goals for the Commission in 2002/03 are:

1. To continue to promote the Commission as a credible and effective organization through better program delivery, improved service to the public and enhanced partnerships with other organizations.

2. To increase the efficiency and effectiveness of the complaint process.

3. To help foster the development of a more equitable society and fair workplaces by pro-actively addressing discrimination in all its forms.

While the Commission is independent of government, its goals for 2002/03 mirror Provincial Government goals by seeking to:

- provide responsible, accountable service to the public;
- create conditions that help the economy grow ( N.B. - By enabling all Nova Scotians to participate in the economic and social life of the province.); and
- foster an environment that allows and encourages Nova Scotians to work, raise families and stay in Nova Scotia.

The Commission's strategic goals for the 2002/03 fiscal year also reflect the following priorities as set out by the Provincial Government:

- achieving fiscal stability;
- growing the economy ( N.B. - By enabling all Nova Scotians to participate in the economic and social life of the province.) ; and
- fostering a professional public service.

## D. Core Businesses

*Investigation & Settlement of Complaints:*

- Delivered collaboratively through the Investigation and Compliance and Race Relations divisions.
- Attempts early interventions to resolve disputes before they become formal complaints of discrimination.
- Investigates complaints of discrimination (approximately 300 active files in 2001/02) and recommends settlement options to the Commissioners.
- Identifies emerging issues and targets skill development for Commission staff in response.
- Provides alternative dispute resolution services.

*Public Education & Outreach:*

- Raises awareness of human rights issues and encourages peace, harmony and respect for all Nova Scotians.

- Involves the staff of the Race Relations and Investigation and Compliance divisions and the Office of the Executive Director.
- Develops and maintains effective links with government, business, the legal community, schools, agencies and community groups to raise awareness of human rights issues and compliance with the Act.
- Fosters social research on human rights issues and topics.
- Provides education and training programs in workplaces, schools and other settings to deliver the Commission's mandate.
- Ensures cost-recovery in service delivery wherever possible.
- Promotes the goals of affirmative action by monitoring the effectiveness of current agreements and signing new agreements.

## E. Priorities for 2002/03

Priorities identified by the Commission for 2002/03 are:

*Investigation & Settlement of Complaints*

- In cooperation with Mi'kmaq and other aboriginal communities, develop an aboriginal action plan to improve the services the Commission offers to these communities, particularly through the development of alternative dispute resolution.
- Develop a detailed client service plan for handling public enquiries.
- Review administrative guidelines for interventions and conciliations, with input from Race Relations Division, to further improve the process.
- Continue development of processes to address systemic discrimination such as monitoring of workplace affirmative action agreements.
- Prevent a backlog of cases by continuing to review the complaint process.
- Pending results from the organizational review, pursue more effective methods of tracking case management.
- Develop a Code of Ethics for Commission staff.

*Public Education & Outreach:*

- Continue involvement with government, institutional and community partners to further develop linkages and forums for discussion and change; this includes oral presentations

on trends and concerns to government and opposition caucuses in conjunction with the filing of the Commission's annual report.

- Develop a comprehensive communications plan, including a unified theme, for 2002 activities.
- Continue communication initiatives aimed at increasing the Commission's public profile.
- Continue policy research and development in partnership with external organizations in emerging areas of human rights including undertaking special projects aimed at mental health consumers and public education on political belief as a prohibited grounds as specified in the settlement agreement for Archibald Kaiser v. Executive Council of Nova Scotia.
- Promote the Commission as a source of information and resources on human rights issues and compliance under the Act for employers and employees in the public, private, educational and not-for-profit sectors.

## F. Budget Context

See attached Schedule 4.

## G. Outcomes and Measures

See attached Schedule 5.

**Schedule 4**

| N.S. Human Rights Commission - Estimated Budget Expenditures | | |
|---|---|---|
| | Prior Year Actuals | Budget - 2002/03 |
| | $ Millions | $ Millions |
| Total - Gross Current | $1.614 | 1.676 |
| Total - Program Expenses net of Recoveries | $0.467 | $0.440 |
| Funds From Kaiser Settlement | Nil | $0.045 |
| Salaries & Benefits | $1.147 | $1.191 |
| Funded Staff (FTEs) | 22 | 22 |
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**Schedule 5**

| Core Business Area: Investigation & Settlement of Complaints | | | | | | |
|---|---|---|---|---|---|---|
| **Outcome** | **Indicator** | **Measure** | **Base Year Measure (2001/02)** | **Target - 2002/03 (optional)** | **Target - 2004/05** | **Strategies to Achieve Target** |
| More efficient complaint handling process | No recurrence of backlog | Average time to process complaints | 24 months | 18 months | 12 months | - Seek assistance of WCAT commissioner 1 afternoon per week.<br>- Replace inquiry officer.<br>- Monitor investigation process - i.e., time lines, shorter reports, investigation plans, etc. |

| Core Business Area: Investigation & Settlement of Complaints | | | | | | |
|---|---|---|---|---|---|---|
| **Outcome** | **Indicator** | **Measure** | **Base Year Measure (2001/02)** | **Target - 2002/03 (optional)** | **Target - 2004/05** | **Strategies to Achieve Target** |
| | Fewer formal complaints | % of cases where intervention attempted | 25 % | Nil | 30 % | - Provide intervention guidelines to parties.<br>- Research jurisdictional issues prior to proceeding with formal complaints.<br>- Assess all complaints for potential to close early. |

| Core Business Area: Investigation & Settlement of Complaints | | | | | | |
|---|---|---|---|---|---|---|
| **Outcome** | **Indicator** | **Measure** | **Base Year Measure (2001/02)** | **Target - 2002/03 (optional)** | **Target - 2004/05** | **Strategies to Achieve Target** |
| More efficient complaint handling process | Increased number of cases settled through agreements | % of files with settlement attempts | 19 % | Nil | 25 % | - Provide guidelines for settlements to parties.<br>- Carry out settlement efforts throughout the complaint process.<br>- Research mandating settlement efforts once a complaint is referred to a Board of Inquiry. |
| | Better able to address systemic discrimination issues | Number of files with checklist for systemic issues completed. | 0 % | 50 % | 100 % | - Design and implement a framework for investigating systemic discrimination issues.<br>- Develop and implement checklist to ensure systemic discrimination issues have been considered at the start of the complaint handling process. |

| Core Business Area: Investigation & Settlement of Complaints | | | | | | |
|---|---|---|---|---|---|---|
| **Outcome** | **Indicator** | **Measure** | **Base Year Measure (2001/02)** | **Target - 2002/03 (optional)** | **Target - 2004/05** | **Strategies to Achieve Target** |
| Staff knowledgeable about emerging issues. | Faster response to inquiries on emerging issues. | Response time to parties. | 4 weeks | Nil | 2 weeks | - On-going staff training on emerging issues.<br>- On-going meetings with staff to review matters of jurisdiction and recent case law. |

| Core Business: Public Education & Outreach | | | | | | |
|---|---|---|---|---|---|---|
| **Outcome** | **Indicator** | **Measure** | **Base Year Measure (2001/02)** | **Target - 2002/03 (optional)** | **Target - 2004/05** | **Strategies to Achieve Target** |
| Commission recognized as a leader in the human rights field. | Improved public understanding of role of Commission. | The number of strategic partnerships for event planning. | 5 strategic partnerships | Nil | 10 strategic partnerships | - Continue to expand membership of PAR (Partners Against Racism) committee).<br>- Suggest seeking new membership for CARR (Community Advocates For Rights With Responsibilities).<br>- Promote volunteer committee development through regional offices.<br>- Develop a communications plan/guide that will underlie the messaging and media activities for the year.<br>- Create manual for organizing events. |

| Core Business: Public Education & Outreach | | | | | | |
|---|---|---|---|---|---|---|
| **Outcome** | **Indicator** | **Measure** | **Base Year Measure (2001/02)** | **Target - 2002/03 (optional)** | **Target - 2004/05** | **Strategies to Achieve Target** |
| Employers committed to inclusive workplaces free of discrimination. | Complaints of discrimination in employment successfully resolved through alternative dispute resolution. | Number of requests for training. | 18 | Nil | 36 | - Plan special events targeting employers.<br>- Develop key messages for employers.<br>- Seek out networking opportunities. |